

MINUTES
Montana Fish, Wildlife & Parks Commission Meeting
1420 East 6th Avenue – Helena Headquarters
Helena, MT

AUGUST 2, 2007

Commission Members Present: Steve Doherty, Chairman; Shane Colton, Vice-Chair; Vic Workman; Dan Vermillion; Willie Doll.

Fish, Wildlife & Parks Staff Present: Jeff Hagener, Director, and FWP Staff.

Guests: See August 2, 2007 Commission file folder for those who signed in.

A Work Session preceded this meeting to discuss the Peregrine Falcon Environmental Assessment, the Urban Deer in Helena, the Parks Reservation System, and the 2007 Bison Seasons and Quotas / Tribal Negotiations. Charlie Decker and Bob Gibson appeared to express their concerns regarding the Non-Resident Preference System / Bonus Points System.

Topics of Discussion:

- 1. Opening - Pledge of Allegiance**
- 2. Approval of July 19, 2007 Commission Meeting Minutes**
- 3. Approval of July, 2007 Commission Expenses**
- 4. 2008-2012 Fishing Regulations – Tentative**
- 5. Exotic Wildlife Classification for Importation / Possession – Final**
- 6. Repeal of Administrative Rule 12.6.401 pertaining to Time Zones – Tentative**
- 7. Seasons Will Not be Closed Due to Fire**
- 8. 2007 Furbearer Quotas – Final**
- 9. 2007 Antelope Quotas – Final**
- 10. 2007 Early Season Migratory Bird Regulations – Final**
- 11. Selection of Organizations to Auction the 2008 Moose, Sheep, Goat, Deer & Elk Licenses – Final**
- 12. 2007 Late Season Waterfowl Seasons/Closures – Tentative**
- 13. Recommendations to Governor for Wolf Reimbursement Board Representation**
- 14. Open Microphone – Public Opportunity to Address Additional FWP Issues**

1. Opening - Pledge of Allegiance. Chairman Doherty called the meeting to order at 11:50 a.m. and led the Pledge of Allegiance.

2. Approval of July 19, 2007 Commission Meeting Minutes.

Action: Workman moved and Colton seconded the motion to approve the minutes of the July 19, 2007 Commission meeting. Motion carried.

3. Approval of July, 2007 Commission Expenses.

Action: Workman moved and Colton seconded the motion to approve the Commission expenses as presented. Motion carried

4. 2008-2012 Fishing Regulations – Tentative. Karen Zackheim, FWP Fisheries Division Operations Bureau Chief, presented the proposed fishing regulations. Every four years the regulations undergo major revisions; interim years address clarifications, corrections, and necessary conservation measures.

STATEWIDE REGULATIONS

Note: new language is in italics. Deleted language has a strike through it.

NEW- (page 4)

Radiotagged fish

It is legal to harvest radio tagged fish. Radio tags from harvested fish must be returned to FWP. Please report the harvest of a tagged fish to the local FWP office.

Rationale: This regulation would enable FWP to recover a radio tag from an uncooperative angler. Recently, an angler caught a radio tagged fish a week after the transmitter was implanted. A cash reward was paid to recover the transmitter and implant it into another fish. The Wildlife Division has already addressed this issue with radio-collared animals on page 19 of the hunting regulations.

CHANGE- (page 9)

Children's Fishing Waters

Numerous waters across the state provide excellent fishing opportunities for younger anglers. A few water have been set aside exclusively for the use of young anglers. Waters posted as Children's Fishing Waters are open to fishing during the entire year to persons 14 years of age and younger only with the exception of Indian Road Pond (see District Exceptions). ***Only one rod allowed per child.*** Children's Fishing Waters are: (there are no changes proposed to the list of children's fishing waters).

Rationale: This will make it easier to clarify who's fishing or not.

NEW- (page 11)

Indian Reservations

- Certain waters on Indian Reservations may have special rules and permits. Specific information should be obtained from Reservation headquarters.
- The State of Montana and Confederated Salish & Kootenai Tribes have entered into a cooperative agreement on the Flathead Reservation. A tribal permit is required to fish within the exterior boundary of the Reservation. Call tribal headquarters at 406-675-2700 for information.
- ***The State of Montana and the Fort Peck Tribes have entered into a cooperative agreement on the Fort Peck Reservation. A tribal permit is required to fish on waters within the exterior boundary of the reservation. Call tribal headquarters at (406) 768-5305 for information.***
- ***A State of Montana fishing license is required to fish on the Bighorn River within the exterior boundaries of the Crow Reservation. A tribal permit is not required.***

Rationale: See specifics of the Fort Peck agreement under Region 6. The new language relative to the Bighorn River is intended to clarify legal requirements because the public has expressed confusion over the matter.

CHANGE – The following will be a statewide requirement (pages 7, 22, 49, 79)

All unattended fishing devices (crayfish traps, minnow traps, fish traps, setlines, etc.) must have the angler's name, phone number or 9/10 digit ALS # attached.

Rationale: Wardens have a need to be able to contact users concerning fishing devices (especially minnow traps) to determine whether anglers are using the traps for personal use or commercial use. Also, at times, wardens are questioning whether commercial seining permittees are operating within their permit area. There may be times when anglers are unaware of unauthorized waters or equipment size restrictions and wardens will be able to address those issues

CHANGE—The following changes will be the same for all three districts (pages 23, 51 and 82)

DAILY AND POSSESSION LIMITS

Handling and Transporting Legally Taken Fish

While a person is fishing, or while on the water or on the ice:

- All fish in possession must be visibly identifiable to species.
- ~~For a species of fish where size limits apply,~~ All fish in possession must be whole with head, skin, fins and tail attached. Gills and entrails may be removed.
- ~~Fish may be dressed and filleted for immediate consumption.~~

Fish may be dressed and filleted for transport to your permanent residence, unless size limits apply, under the following conditions:

- All fish can be counted and identified. Two fillets will be counted as one fish. If the catch is frozen prior to transport, each fish must be packaged so it can be counted.
- Salmonids (trout, salmon, grayling, char and whitefish): the entire skin must be attached to the fillet for identification.
- ~~Non-salmonids: a minimum of one inch by one inch square shoulder patch of skin with scales must remain attached to each fillet for identification.~~

Rationale: The one-inch skin requirement is not helping to identify fish for enforcing daily limits. In addition, the public considers this requirement to be difficult and unnecessary, and believes that leaving skin on non-salmonids negatively affects the taste of the fish. The provision allowing immediate consumption was removed because it conflicts with the new rule requiring all fish to be identifiable while still on the water fishing or ice fishing.

Zackheim stated that there are no new bait restrictions at this time.

Chairman Doherty asked for public comment on the statewide regulation changes.

Bill Holdorf, Butte, expressed concern about increasing the trout limit on Clark Canyon Reservoir to 3 daily and in possession, with only one over 23 inches. He said most trout are 23 inches or longer.

Action: Colton moved and Workman seconded the motion to approve the tentative 2008-2011 Statewide fishing regulations as recommended by the Department. Motion carried.

WESTERN REGION

Note: new language is in italics. Deleted language has a strike through it.

CHANGE- (page 21)

METHODS OF TAKING FISH

Hook and Line Limits

Open Water

Rivers and Streams

- 1 line with 2 hooks per line, with or without a pole. The pole or line must be attended and in the anglers immediate control.

Lakes and Reservoirs

- ~~12~~ lines with 2 hooks per line, with or without a pole (~~see Flathead Lake exception~~). The pole or line must be attended and in the anglers immediate control.

Rationale: This change was made in accordance with law passed by the 2007 Legislature.

CHANGE- (page 24)

WESTERN DISTRICT STANDARD DAILY AND POSSESSION LIMITS

Whitefish – ~~20 +00~~ daily *and 40* in possession.

Rationale: There is mounting evidence that some Mountain whitefish populations are suffering from drought and/or the effects of Whirling Disease. In many cases numbers appear to be down and fish size up, indicating recruitment problems. By significant reduction in the bag limit, the importance of this native sport fish can be emphasized while giving it some additional harvest protection. Harvest opportunity would still be ample for those anglers so inclined. This proposal is only intended to address Mountain Whitefish and since the Western District also has some significant Lake Whitefish fisheries where more liberal harvest is appropriate, exceptions for those lakes are noted.

CHANGE- (page 28)

BLACKFOOT RIVER AND TRIBUTARIES

Mainstem, Landers Fork mouth to Stimson Lumber Dam (Milltown Reservoir) confluence with the Clark Fork River.

- *Closed to fishing from the confluence with the Clark Fork River to about 1 ½ miles upstream, or as signed.*

~~Stimson Lumber Dam downstream to Milltown Reservoir (Clark Fork River)~~

- ~~Extended season for northern pike from December 1 to third Saturday in May, with artificial lures only.~~
- ~~Northern pike: no limit~~

Rationale: Changes made to properly reflect changing conditions resulting from the removal of the Stimson Lumber Dam and Milltown Dam, and to keep people out of the work zone.

CHANGE- (page 28)

BLANCHARD LAKE (near Whitefish)

- ~~Catch and release for bass~~ *1 bass daily and in possession, must be over 22".*
- Northern pike: 5 daily and in possession, 4 less than 28 inches and 1 greater than 36 inches.

Rationale: Blanchard Lake has been catch and release for bass to deal with impacts from illegal introduction. This will maintain recruitment but allow harvest of occasional trophy bass. Numerous anglers have requested to be allowed to harvest. Bass up to 24" have been caught and released.

CHANGE- (page 29)

CLARK FORK RIVER

Perkins Lane Bridge, near Warm Springs, to mouth of Flathead River

- **Closed to fishing from about ½ mile below Milltown Dam to about 2½ miles above Milltown Dam, as posted.**
- Extended season for northern pike and whitefish and catch-and-release for trout open December 1 to third Saturday in May with artificial lures and/or maggots only.
- Catch-and-release for cutthroat trout.
- Combined Trout: 3 daily and in possession, none over 15 inches.
- Northern pike: no limit.
- Artificial lures only within a 100-yard radius of the mouths of Rattlesnake Creek, Petty Creek, Fish Creek, Cedar Creek, Dry Creek, Trout Creek and St. Regis River.

Rationale: Closure made to properly reflect changing conditions resulting from the removal of Milltown Dam, and to keep people out of the work zone.

Mouth of Thompson River to Idaho Border

- Open entire year.
- Western District Standard **Lake** Limits apply to entire reach.

Rationale: The word "lake" was inadvertently dropped 4 years ago. The intent was to standardize regulations between reservoirs and short river segments. Regulation worked well before the error. The same population of fish uses both river and reservoir sections.

DELETE- (page 33 and 37)

~~FISHER RIVER~~

- ~~Extended whitefish season and catch and release for trout open December 1 to third Saturday in May with artificial lures and maggots only.~~

~~LIBBY CREEK~~

- ~~Extended whitefish season and catch and release for trout open December 1 to third Saturday in May with artificial lures and maggots only.~~

Rationale: For both waterbodies, existing regulations are exceptions that add to complexity of regulations without adding much angler recreation. This will simplify and standardize regulations and enforcement within Western District. Use of this resource is quite low: Fisher River 2005: 41 angler days were during this extended season relative to 2052 total angler days for the year; 2003: 757 of 3989 angler days in winter; Libby Creek: 2005: 0 of 630 days in winter; 2003: 193 of 193 days in winter.

CHANGE- (page 33)

FLATHEAD LAKE

- Catch-and-release for cutthroat trout.
- Lake Trout: 50 daily and in possession, only 1 over 36 inches, and all fish 30 to 36 inches must be released.
- Hook and Line: up to 2 attended lines with no more than 2 hooks per line.
- A Flathead Indian Tribal Permit is required to fish on the southern half of the lake.
- **Whitefish: 100 daily and in possession.**

Rationale: Statewide limits of whitefish were dropped from 100 daily and in possession to 20 daily and 40 in possession. In almost all instances this change affects harvest of mountain whitefish. This exception allows for continued harvest on the abundant lake whitefish population.

CHANGE- (page 34)

FLATHEAD RIVER

Confluence of North and Middle Forks to Flathead Lake

- Extended season open for whitefish and lake trout, and catch-and-release for other game fish, **except northern pike, December 1 through the third Saturday in May with artificial lures and/or maggots only. Extended season for northern pike, December 1 through February 28, artificial lures only.**
- Catch-and-release for cutthroat trout.
- Combined trout: 5 daily and in possession.
- Lake trout: 15 daily and in possession.
- **Whitefish: 100 daily and in possession.**

Rationale: FWP is trying to balance nonnative fish (pike, lake trout) with native fish (bull, westslope cutthroat trout). There is documented pike predation on native fish (angler catch data during pike food habits study). This change allows anglers to harvest pike they target or incidental to other species during closed season.

NEW- (page 34)

FRANK LAKE

- *Catch and release for rainbow trout on the northwest ¼ of the lake, as posted, from March 15 to May 1.*

Rationale: Frank Lake is known for quality large trout. Adult rainbows congregate near the hatchery release site in spring, leading to concentrated harvest. This targets portion of lake where trout are concentrated, leaves some harvest opportunity in rest of lake.

NEW- (page 35)

HEIRONYMOUS POND

- **3 trout daily and in possession.**

Rationale: This regulation establishes a limited harvest of trout at a community fishing pond in Hamilton. Limited harvest will help insure that more people catch fish. The pond is stocked with trout. Supply of larger hatchery trout that anglers seek are in short supply, so continual stocking is not an alternative. The pond will not likely support smaller fish long enough for them to grow to desired size.

NEW- (page 35)

HOLLAND CREEK (mouth on Holland Lake upstream to Falls)

- Closed entire year.

Rationale: This stream section is the spawning area for a disjunct population of bull trout in Holland Lake. In the 1990's, this section averaged 20 redds, since 2000 it has averaged 9.4 bull trout redds. The stream is small so it is easy to poach spawning adults. Banning all fishing is the optimal way to eliminate poaching.

CHANGE- (page 35)

HORSESHOE LAKE (Thompson Chain of Lakes (TCL))

- Tiger muskellunge: 1 daily and in possession, must be over 40 inches.
- ~~Spearing: open for nongame fish~~

Rationale: The TCL Fisheries Management Plan calls for introducing tiger muskellunge to control nongame fish. Therefore, spearing is no longer needed and presents a potential enforcement problem with illegal spearing of tiger muskies. This will standardize Horseshoe Lake with other Region 1 waters (no spearing of nongame fish). It allows tiger muskies to perform biological control and produce a trophy fishery. Numerous violations with spearing have occurred in other waters, most recently at Lower Thompson Lake.

CHANGE- (page 36)

LAKE KOOCANUSA

- Closed to burbot (ling) fishing January 15 to March 1.
- Salmon: ~~50 35~~ daily and ~~100 70~~ in possession.
- Bull trout: no changes proposed.

Rationale: Kokanee are naturally reproducing. They are overabundant and spawning adults may only be 9"-10". This change lets anglers harvest surplus of salmon, and decreased densities may increase salmon growth.

CHANGE- (page 37)

LAKE MARY RONAN

- Closed to fishing from midnight to 3 a.m.
- Open third Saturday in May through the end of February.
- Open March 1 to third Saturday in May: yellow perch only.
- Salmon: 10 daily and 20 in possession.
- Bass: Closed March 1 to the third Saturday in May. **Third Saturday in May to March 1: 5 daily and in possession, only 1 over 12 inches.**
- **THIS WAS NOTED BY KAREN ZACKHEIM AS A CORRECTION DURING THE MEETING. Bass: Closed March 1 to the third Saturday in May. Third Saturday in May through June 30: 1 over 22 inches. July 1 through the end of February: 5 daily and in possession, only 1 over 12 inches.**

Rationale: Lake Mary Ronan has had a popular largemouth bass fishery. An illegal yellow perch introduction has severely impacted natural reproduction. This proposal reduces harvest on spawning size bass, but allows some harvest while attempting to increase natural recruitment. It is also standardized with some other Region 1 waters.

NEW- (page 37)

LITTLE BITTERROOT LAKE

- Salmon: 20 daily and 40 in possession, no more than 10 daily and 20 in possession over 14 inches.

Rationale: A small percent of Little Bitterroot kokanee have shifted to a Mysis diet and grow to 14"- 20", compared to 9"-10" in rest of population. It is not known if this is learned behavior or genetic. Anglers are targeting the larger salmon and over harvesting that component. This attempts to protect some salmon for spawning and quality.

CHANGE- (page 37)

LITTLE BLACKFOOT RIVER

- Extended whitefish season and catch and release for trout open December 1 to third Saturday in May with artificial lures and/or maggots only.
- ***Catch and release for cutthroat trout.***

Tributaries to River

- ***Catch and release for cutthroat trout.***

Rationale: The State's goal is to enhance or maintain westslope cutthroat trout (WCT) populations. WCT are very easy to catch and over harvest. WCT are still present in good numbers in the Little Blackfoot River and reduced harvest will protect current populations and may lead to increased numbers of WCT. The Little Blackfoot River is unique because it has some of the largest potential to support WCT in the Upper Clark Fork drainage because of its size. It may provide WCT to the Clark Fork River in the future provided adequate cleanup of the river occurs. The current regulation of 3 fish less than 10, while restrictive, does not insure the full protection capable for the important WCT populations in the Little Blackfoot River drainage.

CHANGE- (page 38)

MILLTOWN RESERVOIR

- ***Closed to fishing from about 1/2 mile below Milltown Dam to about 2 1/2 miles above Milltown Dam, as posted.***
- ~~Milltown Dam to Stimson Lumber Weir (Blackfoot arm) and Milltown Dam to Milwaukee Bridge abutments (Clark Fork arm)~~
- ~~Northern pike: no limit, extended season open December 1 to third Saturday in May with artificial lures only.~~
 - ~~Catch and release for cutthroat trout.~~
 - ~~Combined Trout: 3 daily and in possession, none over 15 inches.~~

Rationale: Changes made to properly reflect changing conditions resulting from the removal of Milltown Dam, and to keep people out of work zone.

NEW- (page 41)

TALLY LAKE

- ***Lake trout: 1 daily and in possession, must be over 42 inches.***

Rationale: This is a small trophy fishery with many fish 20-30 years old. It is vulnerable to overfishing and loss of quality. This change allows for a limited harvest of trophy fish and maintains natural reproduction.

CHANGE- (page 41)

THOMPSON RIVER

Entire River

- Catch-and-release for cutthroat trout.
- ~~Combined trout: 3 less than 10 inches or 2 less than 10 inches and 1 over 18 inches daily and in possession.~~
- Artificial lures only, except anglers 14 years of age and younger may use bait.

Upstream from mouth of Little Thompson River

- Closed to fishing December 1 to third Saturday in May.
- ***Combined Trout: 3 daily and in possession, 3 less than 10 inches or 2 less than 10 inches and 1 over 18 inches.***

Mouth of Little Thompson River to the confluence with the Clark Fork River

- Extended season for whitefish and catch-and-release for trout open December 1 to third Saturday in May with artificial lures and/or maggots only.
- ***Combined Trout: 3 daily and in possession, brown trout any size, rainbow trout no more than 3 less than 10 inches or 2 less than 10 inches and 1 over 18 inches.***

Rationale: Slot limit in place to help rainbow trout. Brown trout have been increasing in abundance due to lower catchability and increased drought tolerance. This change targets protection of rainbow trout while allowing increased harvest of nonnative trout in the lower river.

CHANGE- (page 42)

WARM SPRINGS WILDLIFE MANAGEMENT AREA (WMA)

Pond 3 (no changes proposed for any other areas)

- Open May 25 through ~~September 30~~ **November 30** to fishing from non-motorized vessels. ~~and from north and west dikes except where posted closed.~~

Rationale: September 30 closure was primarily for reducing the conflict between waterfowl hunters and anglers. FWP does not feel that this is an issue on this pond, unlike other ponds on the WMA. Access restriction is not needed since reconstruction of the ponds has made access possible and safe around the entire pond.

Zackheim noted that the Bass regulations on Lake Mary Ronan should say:

Bass: Closed March 1 to the third Saturday in May. Third Saturday in May through June 30: 1 over 22 inches. July 1 through the end of February: 5 daily and in possession, only 1 over 12 inches.

Jim Vashro, FWP Region 1 Fisheries Manager, explained that the western district has a spawning restriction to protect bass during their spawning period. He said the fish populations varied drastically between the mouth of the Flathead and Warm Springs as the drought has greatly impacted the Clark Fork. He also noted that it will be three to four years before Muskies will be over forty inches in Horseshoe Lake as they are only about twelve inches long now.

Action: Workman moved and Vermillion seconded the motion to approve the tentative 2008-2011 Western District fishing regulations as recommended by the Department.

Chairman Doherty asked for public comment.

Doug Green, Warm Water Coalition, said he agrees with responses made by FWP to the various concerns.

Frank Danner, Walleyes Unlimited of Kalispell, was unhappy with the spearing situation in Region 1. He said swim divers only take the large fish, and they take any species they find. It is not a good program, and they feel it is non-productive. An open season in Flathead drainage would be counter productive.

Action on motion: Motion carried.

CENTRAL DISTRICT

Note: new language is in italics. Deleted language has a strike through it.

CENTRAL DISTRICT STANDARD AND POSSESSION LIMITS

Whitefish – ~~20~~ ~~400~~ daily *and 40* in possession.

Rationale: There is mounting evidence that some Mountain whitefish populations are suffering from drought and/or the effects of Whirling Disease. In many cases numbers appear to be down and fish size up, indicating recruitment problems. By significant reduction in the bag limit, the importance of this native sport fish can be emphasized while giving it some additional harvest protection. Harvest opportunity would still be ample for those anglers so inclined.

CHANGE- (page 53)

ANTELOPE BUTTE LAKE aka Ostle Reservoir (Teton County)

- Open third ~~Saturday in~~ May 15 at 12:00 noon through November 30.

Rationale: This lake is located on the Blackleaf WMA, which has an area closure from December 1 through May 15. Beginning May 15, 2007, the Wildlife Division is implementing a uniform opening time of 12:00 noon for public entry to the Sun River, Ear Mountain, and Blackleaf WMA on the Rocky Mountain Front. Opening Antelope Butte Lake to public fishing at this time would be consistent with the area closure on the Blackleaf WMA.

CHANGE- (page 56)

BIG HOLE RIVER AND TRIBUTARIES

~~Entire river and tributaries~~

- ~~Catch and release for grayling and cutthroat trout~~

Entire river

- Extended season for whitefish and catch-and-release for trout open December 1 to the third Saturday in May with artificial lures and/or maggots only.
- Catch-and-release for grayling and cutthroat trout.
- All float users are limited to a total of 2 launches at or near each official access site each day. See Big Hole River map for official access sites.

Headwaters to Mudd Creek FAS

- Closed to float outfitting from the third Saturday in May through Labor Day.

Headwaters to Dickie Bridge

- **Combined trout limit, 5 daily and in possession (no size restriction).**

Big Hole River upstream of North Fork Big Hole River

- **Brook trout: open entire year.**

Mudd Creek FAS to Fishtrap FAS

- Closed to float outfitting on each Tuesday from the third Saturday in May through Labor Day.

Fishtrap FAS to East Bank BLM FAS

- Closed to float outfitting on each Thursday from the third Saturday in May through Labor Day.

East Bank BLM FAS to Jerry Creek FAS

- Closed to float outfitting on each Wednesday from the third Saturday in May through Labor Day.

~~Tributaries upstream from Divide Dam~~

- ~~Brook trout: open entire year.~~

Dickie Bridge to Divide Bridge (Divide FAS)

- ~~Artificial lures only.~~

Jerry Creek FAS to Divide FAS

- Closed to float outfitting on each Saturday from the third Saturday in May through Labor Day.

Divide Bridge (Divide FAS) to Melrose Bridges (Salmon Fly FAS)

- ~~Combined Trout: 4 daily and in possession, includes 3 under 13 inches and 1 over 22 inches.~~
- ~~Artificial lures only.~~

- Closed to float fishing by nonresidents and float outfitting on each Sunday from the third Saturday in May through Labor Day.

Melrose Bridges (Salmon Fly FAS) to Glen FAS

- Closed to float outfitting on each Monday from the third Saturday in May through Labor Day.

Glen FAS (bridges) to Notch Bottom FAS

- Closed to float outfitting on each Friday from the third Saturday in May through Labor Day.

Rationale: These changes are proposed to: A: simplify regulations and enforcement on this river. B: Eliminate unnecessary tackle, bag and length limits which constrain opportunity on what is an effectively a catch-and-release fishery. C: Perhaps most importantly, these changes remove restrictions above the standard Central District regulations that may enhance non-native rainbow and brown trout size and numbers to the detriment of fluvial Arctic Grayling (via competition and/or predation). The changes also liberalizes fishing/harvest opportunity on brook trout, which are potential competitors with and predators on grayling.

In the Grayling Recovering Area (Big Hole River above Dickie Bridge) the proposed change also liberalizes harvest of large rainbow and brown trout beyond that allowed by the Standard Central District regulation. This is done mainly to address a trend we have detected toward more and bigger and brown trout present higher (in the upper river) in the river, which is not a good thing for grayling.

Brown and rainbow trout population data collected since 1981 that clearly demonstrate that the slot limit and artificial lures regulation between Divide and Melrose no longer results in any discernible difference in numbers of trout within the slot between study sections with and without the restrictive regulations.

NEW (page 57)

BIG HOLE RIVER TRIBUTARIES

- Catch-and-Release for grayling and cutthroat trout.

Tributaries upstream from Divide ~~Dam~~ Bridge (Divide FAS)

- Brook trout: open entire year.

Rationale: clarifies and simplifies the regulations for Big Hole River tributaries.

CHANGE- (page 57)

BIGHORN LAKE AND AFTERBAY RESERVOIR

- Sauger/Walleye: 5 daily and 10 in possession (only 2 may be sauger). ~~All fish must be kept whole, gills and entrails may be removed, until you are off the water and done fishing for the day. See Standard Regulations for transport requirements.~~
- Catfish: 6 daily and in possession.
- Burbot: 3 daily and in possession.
- Bass: 6 daily and 12 in possession.

- Shovelnose sturgeon: 2 daily and in possession.
- Anglers obtaining live bait fish in Montana may use them only in the Montana portion of the lake.
- Hook and Line: 2 lines with 2 hooks per line on open water and 6 lines with 1 hook per line through the ice.

Rationale: Smallmouth bass have become the most abundant game fish in the reservoir. Additional harvest is desired to increase the average size of the bass and encourage sauger and walleye survival. Burbot are declining through most of their range in Montana. Wyoming Game and Fish has asked for additional protection for their last pure population of sauger.

The requirement for keeping fish whole will now be dealt with as part of the new statewide regulation on transporting fish.

CHANGE- (page 58)

BIGHORN RIVER

Entire River

- *A State of Montana fishing license is required for all anglers to fish on the Bighorn River within the boundaries of the Crow Reservation. A tribal permit is not required.*
- *Open entire year.*
- ~~Sauger/Walleye: 5 daily, only 1 may be a sauger. Possession limit is 10, only 2 may be sauger. All fish must be kept whole, gills and entrails may be removed, until you are off the water and done fishing for the day. See Standard Regulations for transport requirements.~~

Afterbay Dam to cable 600 feet downstream and downstream from Bighorn FAS

- ~~Open entire year.~~
- ~~Combined Trout: 5 daily and in possession, only 1 over 18 inches and only 1 rainbow trout.~~
- May use live nongame bait fish (as identified in standard district regulations).

Cable 600 feet below Afterbay Dam to Bighorn FAS

- ~~Open entire year.~~
- ~~Combined Trout: 5 brown daily and in possession, only 1 over 18 inches. Catch and release for rainbow trout, except anglers 14 years of age and younger may take 1 rainbow trout daily and in possession, any size.~~
- Artificial lures only

Rationale: This regulation would allow the relatively few anglers interested in harvesting trout to take some home. Fish badly scarred or mortally wounded could be removed by anglers rather than be released to die. When the current regulation was adopted, brown trout outnumbered rainbow trout by 9 to 1 in the section from the Afterbay to Bighorn Access. Now these trout are found in nearly equal proportion.

The new language relative to the Bighorn River license requirements is included because the public has expressed confusion over the matter.

The requirement for keeping fish whole will now be dealt with as part of the new statewide regulation on transporting fish.

CHANGE- (page 59)

BOULDER RIVER AND TRIBUTARIES (near Big Timber)

Entire river and tributaries

- No changes proposed.

Natural Bridge to Two-Mile Bridge (first crossing, 5 road miles upstream from Natural Bridge)

- ~~Catch and release for rainbow trout, except anglers 14 years of age and younger may take 1 rainbow trout daily and in possession, any size.~~
- ~~Artificial lures only.~~

Rationale: The catch-and-release restriction was originally imposed upon the section from Natural Bridge to Two-Mile Bridge to protect trout within a known spawning area on the Boulder River. The Boulder River Ranch was then a dude ranch that attracted many anglers. It has since been sold to private landowners, and fishing pressure has declined. Also, trout populations appear to be in good condition.

DELETE- (page 59)

~~BUFFALO CREEK (fork of Slough Creek)~~

- ~~Combined trout: 5 daily and in possession, includes up to 3 cutthroat trout (none over 12 inches), only 1 rainbow trout over 18 inches.~~

Rationale: This change would better protect the native Yellowstone cutthroat trout and encourage harvest of non-native rainbow trout. It changes the harvest emphasis. Chemical or mechanical removal would be effective but expensive. Total eradication of rainbow trout is not immediately necessary. Native species recovery is being emphasized, especially within wilderness areas. The Yellowstone cutthroat trout has previously been petitioned for listing as a threatened species.

CHANGE- (page 59)

CLARK CANYON RESERVOIR

- Combined trout: ~~3~~ **2** daily and in possession, ~~any size.~~ **only one over 23 inches.**
- Burbot (ling): ~~3~~ **2** daily and in possession, **only one over 28 inches.**

Rationale: Improved reservoir storage pools and high numbers of rainbow and brown trout in 2006 net samples merit removal of restrictive drought based regulations. In response to increased angling pressure, public demand for trophy sized fish, and new data on burbot populations, a reduction under the standard five fish limit with a size restriction is warranted. Trout over 23 inches and burbot over 28 inches in length conservatively incorporate the Age IV and older component of the trout populations and the Age X and older component of the burbot population.

DELETE- (page 60)

~~CULVER POND aka Widow's Pool (Beaverhead County)~~

- ~~Open July 15-September 30.~~
- ~~Brook trout: 5 daily and in possession, 4 under 12 inches and 1 over 18 inches.~~
- ~~Artificial lures only.~~

Rationale: This pond is on Red Rocks NWR and the regulation was put in place to provide and enhance sport fisheries for non-native fish (primarily rainbow and brook trout). The USFWS is in a planning process that will prioritize native species management for waters on the refuge. The current restrictions are contrary to this management direction. The change simplifies the regulations while meeting the management direction of the Red Rocks NWR.

CHANGE- (page 60)

DARLINGTON DITCH aka Darlington Spring Creek (near Three Forks)

On Cobblestone FAS

- ~~Closed to fishing from a point 500 yards above the northern boundary of Cobblestone FAS, as posted, downstream approximately 1.5 miles, as posted.~~
- ~~Open entire year, except the section closed to fishing at Cobblestone FAS.~~
- Catch-and-release for trout.
- Artificial lures only.

Entire ditch outside of Cobblestone FAS

- Open entire year.

Rationale: Preliminary evidence exists to suggest that New Zealand Mudsnaills (NZMS) in this reach of Darlington Ditch are much less prevalent than at the time the regulation was put into place in about 2000. Furthermore at that time this was the only known location of NZMS in Montana outside of Yellowstone National Park. Since then NZMS has been found in a number of other MT. streams and locations, none of which have restrictions on angling for that reason. Staff will take into account results of a field survey to be conducted by FWP Aquatic Nuisance Species (ANS) staff to be conducted in summer 2007, prior to recommending this as a Final regulation proposal to the FWP Commission.

CHANGE- (page 60)

DICKENS LAKE (Sun River WMA)

- Open ~~third Saturday~~ in **May 15 at 12:00 noon** through November 30.

Rationale: This lake is located on the Sun River WMA, which has an area closure from December 1 through May 15. Beginning May 15, 2007, the Wildlife Division is implementing a uniform opening time of 12:00 noon for public entry to the Sun River, Ear Mountain, and Blackleaf WMA on the Rocky Mountain Front. Opening this lake to public fishing at this time would be consistent with the area closure on the Sun River WMA.

CHANGE- (page 62)

HAUSER RESERVOIR

Including Canyon Ferry Dam tailwater and Lake Helena

- ~~Closed to fishing from midnight to 3 a.m.~~
- Yellow perch: 50 daily and no possession limit.
- Walleye: 10 daily, only 1 over 28 inches. **Possession limit is twice the daily limit.**
- Combined Trout and Salmon: 5 trout and salmon daily in any combination and 10 trout and salmon in possession in any combination. Catch and release for brown trout, except anglers 14 years of age and younger may take 1 brown trout daily and in possession, any size.
- Hook and Line/Setlines: 6 lines with 2 hooks per line through the ice only.

Rationale for removing time restriction: This regulation was instituted in the late 1980's – early 1990's due to perceived kokanee salmon over harvest. Creel data showed that over harvest was not occurring. This became a social issue for shoreline homeowners that did not want fishing to occur in the middle of the night. Currently, anglers can fish until midnight and resume fishing at 3 am. Walleye advocates and general anglers will support this change.

Rationale for walleye changes: Since writing the Upper Missouri River Reservoir Management Plan in 2000, walleye have consistently met or exceeded the management target of 2-3 walleye per net. Increased walleye densities have upset the predator/prey balance of the reservoir and made management of the multispecies fishery, as mandated in the Plan, (rainbow trout, yellow perch and kokanee salmon) nearly impossible.

CHANGE- (page 62)

HOLTER RESERVOIR

Up to American Bar Gulch (approx. 4.6 miles downstream from Hauser Dam)

- ~~Closed to fishing from midnight to 3 a.m.~~
- Open entire year.
- Catch and release for brown trout, except anglers 14 years of age and younger may take 1 brown trout daily and in possession, any size.
- Combined Trout and Salmon: 5 rainbow trout and salmon daily in any combination and 10 rainbow trout and salmon in possession in any combination.
- Walleye: 6 daily, includes 5 under 20 inches and 1 over 28 inches. **Possession limit is twice the daily limit**
- Yellow perch: 50 daily and no possession limit.
- Hook and Line/Setlines: 6 lines with 2 hooks per line through the ice only.

Rationale for removing the time restriction: This regulation was instituted in the late 1980's – early 1990's due to perceived kokanee salmon over harvest. Creel data showed that over harvest was not occurring. This became a social issue for shoreline homeowners that did not want fishing to occur in the middle of the night. Currently, anglers can fish until midnight and resume fishing at 3am. Anglers have been contacting FWP for years to eliminate this regulation. Walleye advocates and general anglers will support this change.

Rationale for walleye changes: Since writing the Upper Missouri River Reservoirs Management Plan in 2000, walleye have consistently met or exceeded the management target of 2-3 walleye per net. Increased walleye densities have upset the predator/prey balance of the reservoir and made management of the multispecies fishery, as mandated in the Plan, (rainbow trout, yellow perch and kokanee salmon) nearly impossible.

CHANGE- (page 63)

LAKE HELENA

- ~~Closed to fishing from midnight to 3 a.m.~~
- Catch and release for brown trout, except anglers 14 years of age and younger may take 1 brown trout daily and in possession, any size.
- Combined Trout and Salmon: 5 trout and salmon daily in any combination and 10 trout and salmon in possession in any combination.
- Walleye: 10 daily, only 1 over 28 inches. **Possession limit is twice the daily limit**
- Yellow perch: 50 daily and no possession limit.
- Hook and Line/Setlines: 6 lines with 2 hooks per line through the ice only.

Rationale for removing the time restriction: This regulation was instituted in the late 1980's – early 1990's due to perceived kokanee salmon over harvest. Creel data showed that over harvest was not occurring. This became a social issue for shoreline homeowners that did not want fishing to occur in the middle of the night. Currently, anglers can fish until midnight and resume fishing at 3am. Anglers have been contacting me for years to eliminate this regulation. Walleye advocates and general anglers will support this change.

Rationale for walleye changes: Since writing the Upper Missouri River Reservoirs Management Plan (MRRMP) in 2000, walleye have consistently met or exceeded the management target of 2-3 walleye per net. Increased walleye densities have upset the predator/prey balance of the reservoir and made management of the multispecies fishery, as mandated in the Plan, (rainbow trout, yellow perch and kokanee salmon) nearly impossible.

CHANGE- (page 64)

MADISON RIVER

Yellowstone National Park boundary to Hebgen Reservoir

No changes proposed.

Hebgen Dam to Quake Lake

- Open entire year.

Quake Lake outlet to Lyons Bridge

- Open third Saturday in May through the end of February.
- Catch-and-release for trout, except anglers 14 years of age and younger may take 1 trout daily and in possession, any size.
- Artificial lures only.
- Closed to fishing from boats/vessels.

Lyons Bridge to McAtee Bridge

- ~~Open third Saturday in May through the end of February.~~
- **Open entire year.**
- Catch-and-release for trout, except anglers 14 years of age and younger may take 1 trout daily and in possession, any size.
- Artificial lures only.

McAtee Bridge to Varney Bridge

- Open entire year.
- Catch-and-release for trout, except anglers 14 years of age and younger may take 1 trout daily and in possession, any size.
- Artificial lures only.

Varney Bridge to Ennis Bridge

- Open entire year.
- Catch-and-release for trout, except anglers 14 years of age and younger may take 1 trout daily and in possession, any size.

Ennis Bridge to Ennis Lake

- Open third Saturday in May through the end of February.
- Catch-and-release for trout, except anglers 14 years of age and younger may take 1 trout daily and in possession, any size.
- Closed to fishing from boats/vessels.

Ennis Dam to the mouth

- Open entire year.

Rationale: Expanding the season is a regulation simplification which creates additional angling opportunity in time and space with no anticipated "costs" or negative impacts. We have no fish or angler data to suggest that continuing this restriction is necessary or that removing it will be negative in any way. This has been asked for by anglers and outfitters a number of times in the past 4 years, including in the public comment/issue scoping process for the 2008-2011 fishing regulations.

With this change, this set of regulations applies all the way to the Varney Bridge, and hence the combination of two previously separate sections: Lyons Bridge-McAtee Bridge and McAtee Bridge-Varney.

Bridge-Varney. This section is therefore no longer needed.

DELETE- (page 66)

McDONALDS POND (Beaverhead County)

- ~~Open July 15-September 30.~~
- ~~Artificial lures only.~~

Rationale: This pond is on Red Rocks NWR, and the regulation was put in place to provide and enhance sport fisheries for non-native fish (primarily rainbow and brook trout). The USFWS is in a planning process that will prioritize on native species management for lands and waters on the refuge. These restrictions are contrary to this management direction. It simplifies the regulations while meeting the needs and management direction of the Red Rocks NWR.

CHANGE- (page 68)

OSTLE RESERVOIR aka Antelope Butte Lake (Teton County)

- Open ~~third Saturday in May~~ 15 at 12:00 noon through November 30.

Rationale: This lake is located on the Blackleaf WMA, which has an area closure from December 1 through May 15. Beginning May 15, 2007, the Wildlife Division is implementing a uniform opening time of 12:00 noon for public entry to the Sun River, Ear Mountain, and Blackleaf WMA on the Rocky Mountain Front. Opening Antelope Butte Lake to public fishing at this time would be consistent with the area closure on the Blackleaf WMA.

CHANGE- (page 69)

RUBY RIVER AND TRIBUTARIES

Upstream from Ruby Reservoir

No changes proposed.

Downstream from Ruby Dam

- Closed entire year just below Ruby Dam (that portion of the Ruby River from its confluence with the Ruby Dam outlet channel upstream of the dam, including the outlet channel).
- Extended season for whitefish and catch-and-release for trout open December 1 to third Saturday in May with artificial lures and/or maggots only.
- ~~Combined trout: 3 daily and in possession, only 1 over 15 inches.~~

Rationale: The restrictive limit combined trout limit (3 fish, only 1 over 15 inches) was placed in anticipation that public access to the lower Ruby would adversely affect brown trout populations under the Central District limit (5 fish, only 1 over 18 inches). Intensive population monitoring since public access was established has demonstrated that trout populations fluctuate with natural population dynamics and habitat conditions and have not been adversely affected by angler harvest.

CHANGE-(page 70)

SILVER CREEK aka D2 Ditch (tributary to Prickly Pear Creek)

Downstream from I-15 bridge near Helena

- *Open third Saturday in May through Labor Day.*

~~*From Gold Sil Mine to Green Meadow Drive, near Marysville*~~

- ~~*Catch and release for all fish species. Fish consumption advisory in effect for this section of silver Creek.*~~
-

CHANGE- (page 72)

SWAZEE LAKE (Sun River WMA)

- ~~Open third Saturday in May~~ *Open May 15 at 12:00 noon* through November 30.

Rationale: This lake is located on the Sun River WMA, which has an area closure from December 1 through May 15. Beginning May 15, 2007, the Wildlife Division is implementing a uniform opening time of 12:00 noon for public entry to the Sun River, Ear Mountain, and Blackleaf WMA on the Rocky Mountain Front. Opening this lake to public fishing at this time would be consistent with the area closure on the Sun River WMA.

DELETE- (page 73)

~~**WIDOW'S POOL aka Culver Pond (Beaverhead County)**~~

- ~~Open July 15-September 30.~~
- ~~Brook trout: 5 daily and in possession, 4 under 12 inches and 1 over 18 inches~~
- ~~Artificial lures only.~~

Rationale: This pond is on Red Rocks NWR, and the regulation was put in place to provide and enhance sport fisheries for non-native fish (primarily rainbow and brook trout). The USFWS is in a planning process that will prioritize on native species management for lands and waters on the refuge. These restrictions are contrary to this management direction. It simplifies the regulations while meeting the needs and management direction of the Red Rocks NWR.

Zackheim stated that Silver Creek was added to the regulations because according to monitoring results, fishing does not need to be prohibited there.

Bruce Rich, FWP Region 3 Fisheries Manager, explained that in spite of the drought, right now there is more water in Clark Canyon Reservoir than there has been for years. There is good trout recruitment, so the Department wants to allow some taking of fish, while still protecting the trophy component.

Colton and Workman asked if it was necessary to only allow one fish over 23 inches. Bruce said that that has never been done before, that typically a limit is set on fish that have stipulated sizes. Zackheim said the Department is working toward standardizing the regulations.

Action: Colton moved and Workman seconded the motion to increase the limit on Clark Canyon Reservoir to 3 daily and in possession and only 2 over 23 inches. Motion carried. Four in favor – one opposed (Vermillion).

Vermillion said there have been many adjustments for drought conditions over the years, but he has not seen any significant changes to the Yellowstone River. Discussion followed regarding drought conditions and adjustments, fishing pressure, data and lack of data, catch and release pros and cons, quotas and lengths of fish, making regulations the same the whole length of the River, and various regulation possibilities on individual stretches of the Yellowstone River.

Rich said there is no evidence that further restriction of harvest would bring any changes to fish populations in the Yellowstone. The Yellowstone has withstood the drought better than most waters.

Action: Colton moved and it was seconded to amend the fishing regulations to include: Yellowstone National Park Boundary to Emigrant Bridge

- *Combined trout: 4 brown and/or rainbow trout daily and in possession, only 1 over 18 inches.*

Pine Creek Bridge to I-90 Bridge at Billings

- *Combined trout: 4 brown and/or rainbow trout daily and in possession, only 1 over 18 inches.*

Action on Motion: Motion carried.

Action: Colton moved and Vermillion seconded the motion to approve the tentative 2008-2011 Central District fishing regulations as amended.

Chairman Doherty asked for public comment. There was none.

Action on Motion: Motion carried.

EASTERN DISTRICT

Note: new language is in italics. Deleted language has a strike through it.

NEW- (page 77)

Eastern Fishing District

Fort Peck Reservation- Tribal Boundary Waters

Non-tribal members licensed through the State of Montana and/or the Fort Peck Tribes that are fishing in waters that form the exterior boundaries of the Reservation -- Big Muddy Creek, Missouri River and/or Milk River -- are permitted to harvest the following limits:

<i>Burbot (Ling)</i>	<i>5 daily and in possession</i>
<u>Catfish</u>	<u>20 daily and in possession</u>
<u>Northern Pike</u>	<u>10 daily and in possession</u>
<i>Paddlefish</i>	<i>1 daily and in possession</i>
<i>Sauger/Walleye</i>	<i>5 daily and 10 in possession</i>
<i>Pallid Sturgeon</i>	<i>0 (endangered)</i>
<i>Shovelnose Sturgeon</i>	<i>5 daily and in possession</i>

These harvest limits cannot be exceeded, even if the angler possesses both tribal and state licenses, and fishes on and/or off the reservation on the same day.

Non-tribal members licensed through the State of Montana and/or the Fort Peck Tribes, that are fishing in exterior boundary waters - Big Muddy Creek, Missouri River and/or Milk River -- are limited to a maximum of 6 lines with 6 hooks per line. Unattended lines are required to be identified with the angler's name and/or license number. Setlines shall not be attached to jugs or floating devices.

Rationale: This added regulation is needed to close a possible loophole concerning non-tribal members using two legally purchased licenses (State of Montana and Fort Peck Tribes) to harvest two limits. The minimum harvest limit from each agency is now the limit for the specified waters. This added regulation is needed to close a possible ambiguity concerning non-tribal members using two legally purchased licenses (State of Montana and Fort Peck Tribes) from taking two limits and using methods of catching fish which could add additional harvest.

Pallid sturgeon are endangered and harvest must be maintained at zero. Paddlefish are species of special concern and overharvest must be kept to a minimum. Other native fish populations must also be protected from overharvest to help prevent them from being listed as species of special concern, or listed as threatened or endangered. This regulation will afford protection to introduced game fish populations from over harvest as well.

CHANGE- (page 78)

Warm Water Game Fish Stamp

Add the following waters to the list of waters requiring the stamp.

- *Drag Reservoir, Petroleum Co.*
- *Nelson Reservoir (Benes Reservoir), Fergus Co.*
- *Whisker Reservoir, Fergus Co.*

Rationale: These are additional lakes that FWP currently stocks with warm-water species and plans to continue stocking in the future.

Note: The 2007 Legislature passed law that requires that anyone fishing these waters must purchase a Warm Water Stamp. This change will be made to the 2008 regulation booklet.

CHANGE- (page 79)

Hoop Nets -- Region 5, 6 and 7 hoop net rules:

A permitted individual is authorized to take fish with hoop nets according to the following rules:

1. Size and construction of hoop nets: Nets must not be more than 10ft long and 3ft wide. No leads or wings permitted. Wire traps are prohibited.
2. Tags: Hoop net must be marked with tag showing angler's name, address and permit number.
3. Tending Hoop Nets: Hoop nets must be checked and emptied at least every ~~48 hrs~~ **24 hrs**.
4. Unauthorized Use: No person may use or tend hoop nets of another person.
5. Season/Open Areas: Hoop nets may be used to take ~~nongame fish, catfish, ling and shovelnose sturgeon~~ in the Yellowstone downstream from the mouth of the Bighorn; In the Milk downstream from the Hwy 2 bridge below Dodson Dam; and in the Missouri downstream from the mouth of the Milk, except: closed statewide March 1 thru May 15, and for 200 yards downstream from all irrigation diversion dams.
6. Daily/Possession Limit: 20 catfish, ~~ling 5, shovelnose sturgeon 5, nongame no limit~~. All other species must be released.
7. ~~Voluntary~~ **Mandatory** Report: Permittee is asked to assist the department in evaluating fish populations and fishing regulations. **required to submit a report of catfish taken by hoop net during the past season by October 1.** The department ~~asks~~ **requires** you to record the dates of fishing and **number of various** fish species captured and released, **and the number of catfish you harvested.** A data form is provided. ~~Please return the data form to FWP when you have finished netting for the year.~~ **Your completed data form must be returned to FWP by October; if it is not, you will not be issued a hoop net permit for the following year.**

Rationale: To address concerns that hoop netters may be harvesting ling and sturgeon, the reporting limits are being tightened up so that we can collect better information to evaluate the situation. These rules are not in the Fishing Regulation Booklet, but are available at the Regional Offices where permits are obtained.

CHANGE- (page 81)

Bait Regulations

Live Bait

- Nongame fish that may be used as live bait in the Eastern District include all nongame species except black bullheads, bluegill, carp, goldfish, green sunfish, pumpkin seed, rainbow smelt, sculpins, stonecats, ~~and~~ yellow bullheads, **shortnose gar, sturgeon chub, sicklefin chub, Northern redbelly dace, blue sucker and pearl dace.**
- Live nongame fish may be used as bait only in the following waters: **Rivers and Streams – no changes proposed**
Lakes, Reservoirs, Ponds and Impoundments
 Make the following additions and deletions to the list:
 - **Custer County – Haughan Pond**
 - ~~Dawson County – Lee (Sam) Reservoir~~
 - ~~Rosebud County – Schlesinger Perch Pond~~
 - ~~Wibaux County – Lame Deer Pond~~
 - **Wibaux County – Wibaux Pond**

Rationale: Many of our species of special concern are susceptible to bait collection in the Yellowstone and Missouri Rivers. It is unknown how many sicklefin chub, sturgeon chub or juvenile blue suckers are used as bait but our current regulations allow for all nongame species excluding the listed few. Adding the two chub species and the others may make people identify their bait catch.

Rationale: These ponds are being managed in a manner that allows for the use of bait at these waters. The ponds being removed from the list are ponds that have been removed from our management programs. The use of bait in these ponds is appropriate and will not have an impact on the fishery. The ponds being dropped from the list are either ponds that we no longer manage or that the landowners have requested be removed from FWP management.

CHANGE- (page 83)

EASTERN DISTRICT STANDARD AND POSSESSION LIMITS

Whitefish – **20** 100 daily **and 40** in possession.

Rationale: There is mounting evidence that some Mountain whitefish populations are suffering from drought and/or the effects of Whirling Disease. In many cases numbers appear to be down and fish size up, indicating recruitment problems. By significant reduction in the bag limit, the importance of this native sport fish can be emphasized while giving it some additional harvest protection. Harvest opportunity would still be ample for those anglers so inclined.

CHANGE- (page 84)

FORT PECK DREDGE CUTS (West of park Grove Bridge and Nelson Dredge)

- Bow and Arrow: open July ~~15~~ **1** through August 31 for paddlefish. 1paddlefish per angler. An unused blue paddlefish tag is required to fish for paddlefish.

Rationale: Public had asked that paddlefish archery season begin earlier than July 15 in Fort Peck Dredge Cuts (in 2007 fish regulations, season runs from July 15 – August 31. Extending the season from July 1- August 31 will provide longer period for sports persons to harvest paddlefish without negatively impacting paddlefish population. In a typical year, paddlefish seldom appear in the Fort Peck Dredge Cut area before July15, therefore an increase in harvest by this method is unlikely to occur.

CHANGE- (pages 85, 86, 87 and 88)

PADDLEFISH REGULATONS (MISSOURI RIVER and YELLOWSTONE RIVER)

Special Paddlefish Regulations

Daily and Possession Limits

1 paddlefish per season per angler. Anglers may select from only one of the following areas, **and may only fish in the area selected:**

- Upper Missouri River, upstream from Fort Peck Dam to Fort Benton-white tag.
- Yellowstone River or Lower Missouri River downstream from Fort Peck Dam-yellow tag.
- Fort Peck Dredge Cuts (west of Park Grove Bridge and Nelson Dredge) on the lower Missouri River-blue tag.

Rationale: Anglers have been confused about whether they were restricted in their catch-and-release fishing to the area where their harvest is allowed. This change clarifies that anglers are only allowed to fish in the one area that they purchased a harvest tag.

General Paddlefish Regulations for ALL Areas

- Each angler must cast for, hook and reel in his or her own paddlefish. It is unlawful for another person to do so.
- *Hook size is limited to 8/0 and smaller for all paddlefishing.*
- ~~**Catch-and-Release Days:** It is unlawful to release paddlefish except on designated catch and release days during the regular open season paddlefish season. All paddlefish must be released on Sundays, Mondays and Thursdays during the regular season. Evidence of the appropriate current year paddlefish tag must be in possession to fish for paddlefish. Gaffs may not be used to land a paddlefish on catch and release days.~~
- **Harvest Days:** Anglers must have a valid (unused) paddlefish tag in their possession to harvest a paddlefish. (Tuesdays, Wednesdays, Fridays and Saturdays) On paddlefish harvest days during the open paddlefish season, anglers must tag a paddlefish immediately when they land it. It is unlawful to release snagged paddlefish except on catch and release days. Once the tag has been validated, anglers may not snag for paddlefish except on catch and release days.
- ~~Anglers must immediately tag paddlefish with their own tag.~~
- Gaffs, no longer than 4.5 feet in length may be used to land a paddlefish that will be tagged. Gaffs may not be used to land a paddlefish that will be released.
- Any tag locked shut prior to attachment to a paddlefish shall be void. Voided tags are not replaceable.
- It is unlawful to possess an untagged paddlefish or part of one. If anglers cut up a paddlefish, they must keep the part of the back dorsal fin (back fin) where the tag is attached and sealed to the fish.
- Tags must remain with processed fish until consumption.
- ***When a paddlefish is captured and tagged, the fish must be removed from the river by the end of the day, 9:00p.m.***

Rationale: Larger hooks have been observed to do considerable damage to the paddlefish, and are not needed to catch a paddlefish. The Yellowstone River will allow catch-and-release for 10 straight days at the Intake FAS immediately following the season closure or until June 30, whichever comes first.

Missouri River downstream from Fort Peck Dam and Yellowstone River

- The paddlefish fishery is managed under a harvest target in conjunction with North Dakota. Montana has set regulations so that annual harvest will not exceed 1000 fish. FWP may close the season within 24 hours notice in any given year if it appears that the harvest target may otherwise be significantly exceeded, and/or immediately at the Intake FAS (***Intake Diversion downstream to Cottonwood Creek***) when 800 paddlefish have been harvested at Intake. ~~Catch and release would continue to be allowed through June 30 on Sundays, Mondays and Thursdays.~~ Call the Miles City FWP office at 406-234-0900 for current information on harvest status.

Defining the area impacted by immediate closure, Intake FAS area as being downstream to Cottonwood Creek, eliminates the continued harvest of fish below the fence line after the Intake FAS is closed to harvest. This occurred during the 2007. Once harvest at Intake was closed, anglers moved 300 yards downstream to the fence line and continued to kill fish. By moving the defined boundary of this closure further downstream, fewer fish will continue to be taken after the Intake FAS closure is in place.

MISSOURI RIVER

Upstream from Fort Peck Dam to Fort Benton

- *The paddlefish fishery is managed under an annual harvest target not to exceed 500 fish. FWP may close the harvest season within 24 hours notice in any year if it appears that the harvest target may be exceeded. Catch-and-release fishing would continue for the duration of the season. Call the Glasgow FWP office at 406-228-3700 for current information on harvest status.*
- Paddlefish snagging: open ~~entire year~~ *to harvesting paddlefish from May 1 to June 15 (unless closed earlier by FWP)* from 6AM to 9PM daily. ~~1 paddlefish per angler.~~ An unused white paddlefish tag is required to harvest a paddlefish. ~~on Tuesdays, Wednesdays, Fridays or Saturdays. The tag must be properly placed on the first paddlefish caught and landed. It is unlawful to release a paddlefish except on catch-and-release days. All paddlefish captured must either be tagged and kept, or released immediately. Gaffs may be used to harvest a paddlefish but not for fish that will be released.~~ See Eastern District Standard Regulations for additional important paddlefish information.
- **Catch-and-Release Days:** It is unlawful to release paddlefish except on designated catch-and-release days during the regular open season paddlefish season. All paddlefish must be released on Sundays, Mondays and Thursdays during the regular season. Evidence of the appropriate current year paddlefish tag must be in possession to fish for paddlefish. Gaffs may not be used to land a paddlefish on catch-and-release days.

Rationale: Information is currently being collected related to paddlefish harvest and the mortality of snagged paddlefish in the upper Missouri River. Based on this information, potential changes in paddlefish regulations may be proposed. Additional notification to the public will be provided if changes are proposed.

Downstream from Fort Peck Dam

- Snagging: no changes proposed.
 - Paddlefish Snagging: open *Tuesdays, Wednesdays, Fridays and Saturdays from* May 15 through June 30 from 6AM to 9 PM daily unless closed to harvest earlier by FWP. ~~1 paddlefish tag per angler.~~ An unused yellow paddlefish tag is required to ~~harvest a fish for~~ paddlefish ~~on Tuesdays, Wednesdays, Fridays or Saturdays.~~ The tag must be properly placed on the first paddlefish caught and landed. ~~All paddlefish caught on Sundays, Mondays and Thursdays throughout the season must be immediately released. Proof of purchase of a paddlefish tag on your fishing license is required to fish on catch-and-release days and use of gaffs is prohibited.~~ See Eastern District Standard Regulations for additional important information.
 - *Catch-and-Release Days not permitted.*
-

YELLOWSTONE RIVER

Downstream from the mouth of the Bighorn River, *not* including Intake Fishing Access Site

- Snagging: no changes proposed.
- Paddlefish Snagging: open *Tuesdays, Wednesdays, Fridays and Saturdays from* May 15 through June 30 from 6AM to 9 PM daily unless closed to harvest earlier by FWP. ~~1 paddlefish tag per angler.~~ An unused yellow paddlefish tag is required to ~~harvest a fish for~~ paddlefish ~~on Tuesdays, Wednesdays, Fridays or Saturdays.~~ The tag must be properly placed on the first paddlefish caught and landed. ~~All paddlefish caught on Sundays, Mondays and Thursdays throughout the season must be immediately released. Proof of purchase of a paddlefish tag on your fishing license is required to fish on catch-and-release days and use of gaffs is prohibited.~~ See Eastern District Standard Regulations for additional important information.
- *Catch-and-Release Days not permitted.*

Intake Fishing Access Site (*Intake Diversion downstream to Cottonwood Creek*)

- Paddlefish Snagging: open May 15 through June 30 from 6AM to 9 PM daily unless closed to harvest earlier by FWP. ~~1 paddlefish tag per angler.~~ An unused yellow paddlefish tag is required to harvest a paddlefish on Tuesdays, Wednesdays, Fridays or Saturdays. The tag must be properly placed on the first paddlefish caught and landed. All paddlefish caught on Sundays, Mondays and Thursdays throughout the season must be immediately released. ~~Proof of purchase of a yellow paddlefish tag on your fishing license is required to fish on catch-and-release days and use of gaffs is prohibited.~~
- **Catch -and-Release Days:** It is unlawful to release paddlefish except on designated catch-and-release days during the regular open season paddlefish season. All paddlefish must be released on Sundays, Mondays and Thursdays during the regular season. Evidence of the appropriate current year paddlefish tag must be in possession to fish for paddlefish. Gaffs may not be used to land a paddlefish on catch-and-release days. *Catch and release will be allowed for 10 consecutive days or through June 30, whichever is reached first, following the harvest closure.*

Rationale: The harvest season closure during the 2007 season occurred on Friday night at 6:20 pm. This closure created many unhappy people as our current regulations did not allow for harvest or C&R fishing at the Intake FAS until Sunday morning at 6 am. Our current rules excluded any fishing on Saturday. This rule change would allow anglers to C&R fish after the harvest closure but shortens the available C&R time to 10 days following closure instead of through June 30. Limiting catch-and-release to the Intake FAS is necessary to better manage this activity. Intake is the main location for catch-and-release fishing.

NEW- (page 84)

HOLLECKER LAKE

- *Bass: Daily limit of 1 over 15 inches.*

Rationale: This regulation will allow for the retention of bass in this urban pond. Bass retention is needed to maintain predatory pressure on yellow perch stocks. Standard daily bag limits will facilitate the harvest and removal of bass from Hollecker Lake. Bass retention is needed to ensure success of the fish management plan for this urban pond

Doherty asked if paddlefish survive after being caught and released, and how many fishermen fish in this manner.

Bill Wiedenheft, FWP Region 6 Fisheries Manager, replied that if there were a significant problem with snagging, mass mortality would be observed. Since the catch and release regulation is new, there is no data on file as to how many fishermen actually fish the catch and release method.

Wiedenheft said an annual netting operation has been conducted since the 1980's to catch and tag migrating paddlefish, which provides a good population estimate. This is done in the Yellowstone as well. The drought affects warm waters species, and right now the paddlefish are hurting.

Doll spoke in opposition of catch and release days for paddlefish. He questioned why there is a "keep" day and a "mandatory release" day. He suggested simply setting the quota, and when that is reached, halt fishing. He said once a fish is caught it should be tagged.

Wiedenheft said fishing regulations in general become more complicated as the drought period continues, and paddlefish regulations are no exception. The Department provides opportunities to the public, but the mission is also to preserve these fish the best way possible. There has been a great increase in fishing pressure, and changing the regulations might adversely shift fishing pressure. People switch to areas that are easier to fish. People who are not conservation minded will fish for trophy fish.

Zackheim said the paddlefish are targeted because of their eggs for caviar. People must not be encouraged to seek out the large fish. Assorted regulations will allow people to go from place to place to take advantage of the situations. We must be concerned about a population that is not sustaining recruitment.

Wiedenheft said the paddlefish do not migrate enmasse up the Missouri river. Mature males migrate through the area every one to two years, and females migrate every two to three years. Those are the fish that are counted. Over the last eight years only one or two are seen at a time, and at one time there were over 100. The population is not reproducing. FWP is concerned, and that is why these regulations put checks on harvest. In 2006, there were over 1,200 paddlefish taken at Fred Robinson Bridge alone. Regulations may have to get tighter.

Action: Doll moved and Workman seconded the motion to approve the 500-fish quota limit, to maintain the May 1 to June 15 season, to eliminate the mandatory catch and release days, to eliminate the requirement to tag the first fish caught, and to close the season after 500 fish are caught.

Chairman Doherty asked for public comment. There was none.

Action on Motion: Motion carried. Four in favor – one opposed (Colton).

Action: Colton moved and Workman seconded the motion to approve the 2008-2011 tentative Eastern District fishing regulations as recommended by the Department, inclusive of the paddlefish amendments.

Chairman Doherty asked for public comment. There was none.

Action on Motion: Motion carried.

5. Exotic Wildlife Classification for Importation / Possession – Final. Eileen Ryce, FWP Aquatic Nuisance Species Coordinator, said three comments were received following approval of the tentative recommendations in April. One comment expressed concern about FWPs involvement in the process, and two comments opposed listing giant constrictors as prohibited as they felt the snakes pose no more health risks than domestic animals. The Classification Review Committee stands behind their recommendation to prohibit giant constrictors as they do pose great threat to health and human safety. Old world primates are prohibited. Chimp owners are grandfathered in if they got them before January 2004.

Action: Colton moved and Workman seconded the motion to approve the final Exotic Wildlife Importation / Classification Rule as recommended by the Department, and proceed with the rulemaking process. Motion carried.

6. Repeal of Administrative Rule 12.6.401 pertaining to Time Zones – Tentative. Jim Kropp, FWP Enforcement Division Administrator, explained that the sunset / sunrise tables published in the hunting and fishing regulations conflict with the tables that are published in Administrative Rule 12.6.401. If this rule is not repealed, revisions will need to be made annually. FWP has the authority to adjust the timetables as part of the annual hunting and fishing rules, so therefore wishes to repeal this Administrative Rule, and go by the annual adjustments.

Action: Colton moved and Workman seconded the motion to approve the repeal of ARM 12.6.401.

Chairman Doherty asked for public comment. There was none.

Action on Motion: Motion carried.

7. Seasons Will Not be Closed Due to Fire. Hagener stated that with the fire season already in full swing, the Commission and Department will be receiving inquiries as to whether hunting seasons will be closed. He said it is the position of FWP to stand by Commission decisions in 2000, 2003, and 2006 that hunting seasons will not be closed due to fire. Closing lands to hunting while other means of recreation are allowed would be unfair to the public. The Commission agreed unanimously that hunting seasons will not be closed due to fires.

8. 2007 Furbearer Quotas – Final. Brian Giddings, FWP Wildlife Division Furbearer Coordinator, narrated a power point presentation on the wolverine population status in Montana, and harvest regulations. Extensive discussion relative to trapping wolverines followed.

Action: Doherty moved and Colton seconded the motion to reduce the wolverine quota from 12 to 0.

Discussion on Motion:

Doherty said the science is not definitive, and he could not justify a take without knowing more about the data.

Colton feels there should be some allowable take. Wolverine trapping is generating nationwide interest.

Workman said wolverines are remaining stable with the number presently being trapped now, so leave the quota alone.

Vermillion said research indicates there is a reason to be concerned, that populations can be trapped out quickly.

Doll suggested a compromise of dropping the quotas in half.

Chairman Doherty asked for public comment.

Cheryl Kindschy, Defenders of Wildlife, questioned the numbers, and asked what the Commission plans to do to make the species viable. Wolverines reproduce at a slow rate. If trappers know where the dens are they will trap them out. This is about the animals.

Bob Sheppard, Montana Trappers Association, said he has trapped for thirty-five years and the population is stable. He said even though everyone does not agree with the existing setup, it should be given a chance.

Bob Inman, Ennis, said he has worked on a wolverine research project for the last seven years. There have always been low numbers of wolverines. It is a species that does not occupy a productive habitat. They reproduce slowly, therefore any strategy for harvesting wolverines must be handled cautiously. The changes in landscape in Montana between 1930 and 1970 due to subdivisions, etc. require the wolverines to travel across valleys to exchange genetics. Wolverines exist in small numbers and explore large home ranges. He suggested, if there must be a quota, a quota of 3 or 4 in the Northern Continental Divide, and 1 or 2 in the Absaroka/Gallatin area, and 1 in the Pioneer/Bitterroot area. He would welcome the opportunity to sit down with FWP biologists to share information.

An unidentified woman said the populations are not being allowed to recover. There is a lack of understanding of the species and what its habitat needs are. She encouraged more restrictions.

Don Bothwell, Montana Trappers Association, said MTA supports the current regulations. Trappers will be going after them because they are trophy animals. If they remove the population, they will come back.

Kurt Alt, FWP Region 3 Wildlife Division Manager, stated that important research in his region is being conducted that will guide discussion relative to season changes related to wolverines. Region 3 wants to work with the other regions on redesigning wolverine management units. He does not want to see another over-harvest like has been done before. Harvest distribution is where management efforts are headed.

Doherty felt the quota of 12 was unacceptable. Giddings suggested a quota of 5 in WMU #1 as the habitat is large there, a quota of 1 in WMU #2, and a quota of 4 in WMU #3, for a total quota of 10.

Colton was uncomfortable with the lack of data on the wolverine and the variance in population estimates. There could be devastating effects on the species if not properly handled.

Action on Motion: Doherty withdrew his motion.

Action: Doherty moved and Colton seconded the motion to set the Wolverine quotas at 5 in WMU #1, 1 in WMU #2, and 4 in WMU #3, for a total of 10.

Action on Motion: Motion carried. Four in favor – one opposed (Workman).

There were no changes to the 2007 tentatives on the remainder of the furbearer regulations.

Action: Vermillion moved and Colton seconded the motion to approve the 2007 Furbearer quotas as recommended by the Department, including the amended Wolverine quotas. Motion carried.

9. 2007 Antelope Quotas – Final.

Twenty-five changes were recommended to the tentatives.

- HD 311-00 – Increase ES licenses from 125 to 250
- HD 311-20 – Increase doe/fawn licenses from 100 to 250
- HD 319-00 – Increase ES licenses from 50 to 75 (verbal introduction)
- HD 320-00 – Decrease ES licenses from 200 to 100 (verbal introduction)
- HD 320-10 – Decrease doe/fawn licenses from 200 to 100 (verbal introduction)
- HD 360-30 – Increase doe/fawn licenses from 100 to 300 (verbal introduction)
- HD 401-00 – Increase ES licenses from 400 to 600
- HD 401-10 – Increase doe/fawn licenses from 300 to 600
- HD 404-00 – Increase ES licenses from 200 to 300
- HD 404-10 – Increase doe/fawn licenses from 250 to 350
- HD 413-00 – Decrease ES licenses from 200 to 100
- HD 420-00 – Decrease ES licenses from 400 to 350
- HD 420-10 – Increase doe/fawn licenses from 50 to 350
- HD 450-00 – Decrease ES licenses from 400 to 250
- HD 450-10 – Decrease doe/fawn licenses from 900 to 500
- HD 471-10 – Decrease doe/fawn licenses from 350 to 200
- HD 490-10 – Increase doe/fawn licenses from 750 to 900
- HD 491-00 – Increase ES licenses from 175 to 250
- HD 491-10 – Increase doe/fawn licenses from 400 to 600
- HD 530-00 – Decrease ES licenses from 1500 to 1300
- HD 550-00 – Increase ES licenses from 300 to 400
- HD 550-30 – Increase doe/fawn licenses offered to each successful 550-00 applicant from 0 to 2
- HD 571-30 – Decrease doe/fawn licenses offered to each successful 571-00 applicant from 1 to 0
- HD 620-00 – Increase ES licenses from 800 to 1200
- HD 620-10 – Increase doe/fawn licenses from 100 to 500

John Ensign, FWP Region 7 Wildlife Manager, stated that antelope surveys were just completed. The surveys indicated that populations are 124% of the long-term average, however fawn numbers have dipped. The buck numbers are up because of the mild winters and the increase in doe/fawn quotas. Increased quotas cause social issues. Hunter access is limited – 75% of the land is closed to hunting. Based on current populations, the limit of hunters than can be supported has already been reached, so increasing the either sex quotas by 1,000, as requested by MOGA, would create the situation of 1,000 more hunters trying to find a place to hunt. Region 7 would like to leave the quotas alone for one more year and hold more public discussions.

Action: Colton moved and Vermillion seconded the motion to increase the antelope doe/fawn quota in Region 7 by 1,000.

Chairman Doherty asked for public comment.

Paul Ellis, MOGA, commended FWP on managing antelope. There are problems with everyone showing up on opening week. There is no control over the numbers when people just have to sign in. He suggested that if the goal is to harvest more does, give another 1,000 tags to nonresidents.

Larry Copenhaver, Montana Wildlife Federation, said they were looking at the statistics and wondered if a larger quota would solve the problem. MWF suggests giving it time and looking at it again next year. Reduce pressure on property owners. There is a lot of private land going to fee hunting.

Action on motion: Motion carried.

Action: Colton moved and Workman seconded the motion to approve the 2007 Final Antelope Quotas as recommended by the Department, including the increase of 1,000 doe/fawn tags in Region 7. Motion carried.

10. 2007 Early Season Migratory Bird Regulations – Final.

No changes to the tentatives.

Action: Workman moved and Vermillion seconded the motion to approve the 2007 Early Season Migratory Bird Regulations as recommended by the Department. Motion carried.

11. Selection of Organizations to Auction the 2008 Moose, Sheep, Goat, Deer & Elk Licenses – Final. **Jeff Herbert, FWP Wildlife Division Assistant Administrator**, explained that applications were solicited following the June Commission approval of the annual rules that establish criteria for selecting organizations to conduct the license auction / lotteries.

The Foundation for North American Wild Sheep applied for the sheep, moose and goat license, the Mule Deer Foundation applied for the mule deer license, the Rocky Mountain Elk Foundation applied for the elk and goat license, and the Grand Slam Club applied for the sheep and goat license.

Action: Workman moved and Vermillion seconded the motion to award the 2008 Sheep and Moose auction / lottery licenses to FNAWS. Motion carried.

Action: Workman moved and Vermillion seconded the motion to award the 2008 Mule Deer auction / lottery license to the Mule Deer Foundation. Motion carried.

Action: Workman moved and Vermillion seconded the motion to award the 2008 Elk auction / lottery license to the Rocky Mountain Elk Foundation.

Discussion on Motion: Colton asked if anyone was at the meeting representing the Grand Slam Club. There was not.

Action on Motion: Workman amended his motion to award both the Elk and the Goat auction / lottery licenses to the Rocky Mountain Elk Foundation. Vermillion seconded the amendment. Motion carried

12. 2007 Late Season Waterfowl Seasons/Closures – Tentative. Jeff Herbert, FWP Wildlife Division Assistant Administrator, explained that early season waterfowl regulations are established for webless species, and the late season migratory bird regulations pertain to ducks, geese, swans and coots.

Federal frameworks are established with the assistance of the flyway councils. Montana participates in both the Central and Pacific Flyways. The frameworks are established based on population status derived from winter surveys for geese and from the survey in May for ducks. Duck seasons utilize an adaptive harvest approach where the three regulation packages (restrictive, moderate, liberal) are defined earlier in the year, and then the breeding population and Canadian pond counts are used to select the most appropriate package. States select seasons within those frameworks. Montana can only be as liberal as they allow. The total duck population was up fourteen percent over last year.

There are no proposed changes to the 2006 regulations except for date changes associated with calendar progression. Those proposed date adjustments are:

Statewide Youth Season: Sept 22 – 23, 2007

Central Flyway Ducks/Mergansers/Coots (shotgun and Falconry): Sept 29 – Jan 3, 2008

Central Flyway Geese (shotgun and Falconry): Sept 29 – Jan 11, 2008

Central Flyway Swan: Sept 29 – Jan 3, 2008

Pacific Flyway Ducks/Merganser/Coots (shotgun and Falconry): Sept 29 – Jan 11, 2008

Pacific Flyway Geese (shotgun and Falconry): Sept 29 – Jan 11, 2008

Pacific Flyway Swan: Oct 13 – Dec 1, 2007

Canyon Ferry Hunting Hour Exception: Sept 22 – 23 (Youth), Sept 29 – Oct 5, 2007

Action: Doll moved and Colton seconded the motion to adopt the tentative Late Season Migratory Bird Seasons as recommended by the Department. Motion carried.

13. Recommendations to Governor for Wolf Reimbursement Board Representation. The Montana Gray Wolf Conservation and Management Plan included a provision for the creation of a Montana-specific reimbursement program for wolf-related economic damage to livestock. This group developed the guiding principles and general framework for the program. Based on these efforts, HB364 was passed in the 2007 Montana Legislature, establishing criteria for the Montana Livestock Loss Reduction and Mitigation Board.

Director Hagener explained that HB364 requires the FWP Commission to forward a list of at least three names for the Governor's consideration for nomination to the Montana Livestock Loss Reduction and Mitigation Board. The Department of Livestock will also provide a list of names for consideration. The Governor will nominate one member at large for a total of seven Board members. The Board will guide and oversee the development of the final program details and begin implementing it as funding becomes available. HB364 requires that Board members be knowledgeable or experienced in at least one of the following: raising livestock in Montana, livestock marketing/sales, wolf-livestock interactions, wildlife conservation, administration, and fundraising

Based on information submitted to FWP by interested applicants, the Department recommends five people for the Governor's consideration. Those folks are Todd Graham, Janelle Holden, Darryl Olson, Brad Radtke, and Suzanne Stone

Action: Workman moved to approve the Department's recommendations for the Governor's consideration to the Montana Livestock Loss Reduction and Mitigation Board minus Suzanne Stone. Motion failed due to lack of a second.

Action: Vermillion moved and Colton seconded the motion to recommend Todd Graham, Janelle Holden, Darryl Olson, Brad Radtke, and Suzanne Stone for the Governor's consideration to the Montana Livestock Loss Reduction and Mitigation Board. Motion carried.

14. Open Microphone – Public Opportunity to Address Additional FWP Issues.

Minette Glaser, Defenders of Wildlife, suggested that FWP provide better information on the website as to how and when the public can participate and comment at meetings.

Action: Workman moved and Colton seconded the motion to adjourn the meeting. Motion carried.

Meeting adjourned at 3:30 p.m.

Steve Doherty, Chairman

M. Jeff Hagener, Director